

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF OKLAHOMA**

IN RE: YANCEY, JACOB J., III, and YANCEY, ALISA D., Debtors.))))))	CASE NO. 10-12477-M Chapter 13
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MODIFIED CHAPTER 13 PLAN
(Post Confirmation)

COME NOW the Debtors in the above captioned matter and submit their Modified Chapter 13 plan.

LENGTH OF PLAN: 60 months.

PLAN PAYMENTS: Debtors shall pay \$1,054.00 per month for months 1-4. Debtors shall pay \$0.00 per month for months 5-7. Debtors shall pay \$1,054.00 per month for months 8-60. The trustee shall deduct the Trustee's preset percentage fee from each payment.

COMMENCEMENT DATE: Plan payments shall commence on or before August 19, 2010; 30 days after the Chapter 13 Petition is filed. Payments are paid monthly by Debtors by money order to the Trustee until a Payroll Order is issued. Plan payments shall then be made by Payroll Order from the Debtors' wages.

PRIORITY CLAIMS: (To be paid in full without interest)

CLAIMANT	DESCRIPTION	AMOUNT	MONTHLY PAYMENTS HOW PAID AND TOTAL OF PAYMENTS
Kathryn Ross-Speers	Attorney Fees (Initial: \$1,250.00) (Post Modified: \$500.00)	\$1,750.00	1-4 @ \$125.00 8-17 @ \$121.00 18 @ \$40.00 \$1,750.00

LIST ALL SECURED CLAIMS NOT ENTITLED TO ADEQUATE PROTECTION HERE
(EXCLUDING REAL ESTATE CLAIMS)

CLAIMANT	FILED OR SCHEDULED CLAIM	COLLATERAL	ALLOWED SECURED CLAIM	INT. RATE	MONTHLY PAYMENTS NUMBER OF PAYMENTS
Sheffield Financial	\$0.00 Secured; \$3,205.00 Unsecured (as Amended)	None	\$170.16	0.0%	1-4 @ \$42.54 \$170.16

CLAIMS ENTITLED TO ADEQUATE PROTECTION PURSUANT TO 11 U.S.C §1326

(A)(1)(C). The following claimants are provided adequate protection in the form of a lien on each pre-confirmation plan payment to the Chapter 13 Trustee in the payment amount stated below for each claimant, subject to the provisions of the Court's Misc. Order No. 162:

LIST ALL CLAIMS ENTITLED TO ADEQUATE PROTECTION HERE
(USE THE SAME INFORMATION COLUMNS FOR THE CLAIMS AS YOU
WOULD FOR THE NON-ADEQUATE PROTECTION CLAIMS ABOVE)

SECURED CLAIMS: [exclusive of home mortgage(s)]

CLAIMANT	FILED OR SCHEDULED CLAIM	COLLATERAL	ALLOWED SECURED CLAIM	INT. RATE	MONTHLY PAYMENTS NUMBER OF PAYMENTS
GMAC Financial Services	\$33,234.85	2008 Chevrolet Tahoe	\$33,234.85	2.9%	1-4 @ \$595.71 8-60 @ \$631.76 \$35,866.12

NOTE: Secured creditors shall retain their liens as provided in 11 U.S.C. Sec. 1325 (a)(5)(B)(i) to the extent of the value stated above in the Allowed Secured Claim column. The allowed secured claim of each secured creditor shall be the amount of the collateral, as indicated in the Allowed Secured Claim column, or the amount of the filed claim, whichever is less, with the balance of the claim as filed being allowed as an unsecured claim, and with the lien of the creditor being avoided on the unsecured portion pursuant to 11 U.S.C. Sec. 506(d).

REAL ESTATE MORTGAGE(S):

CLAIMANT	DESCRIPTION	CLAIM AMOUNT	ALLOWED SECURED CLAIM	INT. RATE	MONTHLY PAYMENTS NUMBER OF PAYMENTS
Chase Home Finance	1 st Mortgage	\$98,837.70	\$98,837.70	N/A	Debtors shall make all regular post petition mortgage payments directly to the creditor.
Chase Home Finance	1 st Mortgage Arrearage	\$10,000.20	\$10,000.20	N/A	1-4 @ \$166.67 8-60 @ \$176.11 \$10,000.51
First National Bank of Vinita	1 st Mortgage on Homestead Acreage	\$18,056.84	\$18,056.84	8.3%	Debtors shall make all regular post petition mortgage payments directly to the creditor.
First National Bank of Vinita	1 st Mortgage on Homestead Acreage Arrearage	\$1,120.30	\$1,120.30	N/A	1-4 @ \$18.68 8-60 @ \$19.73 \$1,120.41

NOTE: Debtors' Mortgages with Chase Home Finance and First National Bank of Vinita are long-term debts which extend beyond the completion of this Plan and said mortgages are not released at the completion of this Plan and/or upon discharge of the Debtors.

SPECIAL UNSECURED CLASS(ES):

CLAIMANT	DESCRIPTION	AMOUNT	MONTHLY PAYMENTS NUMBER OF PAYMENTS
HSBC Best Buy	Revolving Account (Co-Debtor Account)	\$5,152.89	18 @ \$81.00 19-59 @ \$121.00 60 @ \$110.89 \$5,152.89

PROPERTY TO BE SURRENDERED: The following property shall be surrendered to the named claimant in full satisfaction of the Secured claim stated below with the balance, if any, relegated to general unsecured status.

CLAIMANT	COLLATERAL	ALLOWED SECURED CLAIM
Bay Finance Company	Vacuum Cleaner	\$1,299.02

NOTE: Creditors shall file a claim within sixty (60) days of the date of confirmation of the plan as to any deficiency claim owed on the above-surrendered collateral. If no deficiency claim is filed by said time, no claim will be allowed.

LIEN AVOIDANCE(S): The Debtors shall file a separate Motion or Motions to avoid the liens or security interests of the following claimants pursuant to 11 U.S.C. Section 523(f) and the claim(s) of such claimant(s) shall be relegated and treated as general unsecured claims below:

CLAIMANT	
None	

UNSECURED CLAIMS: All claims not specifically provided for above and those relegated to unsecured status above shall be paid as general unsecured claims, without priority, on a pro rata basis.

Unsecured claims per Schedule F:	<u>\$ 19,422.09</u>
Claims Relegated to Unsecured Status:	<u>\$ 0.00</u>
Total Projected Unsecured Claims:	<u>\$ 19,422.09</u>
Approximate Percentage Payback to Holders of Unsecured Claims:	<u>0.0%</u>

NOTE: The Approximate payback to unsecured claims may be more or less depending on claims actually filed and allowed above.

OTHER PROVISIONS:

1. All property of the estate under 11 U.S.C. Section 1306 at the time of confirmation shall be and remain property of the estate and all stays in effect at the time of confirmation shall remain in force and effect until conclusion of the case or other Order of the Court.
2. All claims will be treated as set forth above unless a creditor objects prior to the confirmation hearing and files a claim within ninety (90) days after the first date set for the meeting of creditors called pursuant to 11 U.S.C. Section 341 (a). Governmental units must file claims within 180 days after the order for relief.
3. All creditors without priority who fail to file a proof of claim within the time stated in paragraph 2 above may not receive any distribution under this Plan.
4. All secured creditors shall retain their liens as provided in 11 U.S.C. Section 1325 (a)(5)(B)(i).
5. The above named Debtors are enjoined from incurring any debts without prior approval of the court, except such debts as may be necessary for emergency medical or hospital care.
6. Provided that all other terms and conditions in the Order Confirming Plan filed November 18, 2010, shall remain in full force and effect.

Dated: February 4, 2011.

/s/ Kathryn Ross-Speers
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